

## REMARKS

Reconsideration of the above identified patent application is hereby respectfully requested in view of the foregoing amendments and following remarks. Claims 2, 8, 12, 13, and 20 have been canceled and claims 1, 3, 17, and 18 have been amended. Claims 1, 3-7, 9-11, and 14-19 remain in the case.

The applicant appreciated the indication of allowable subject matter of claim 2 by Examiner Nicholas Ponomarenko.

1. A reopening of prosecution is noted.

2. The drawings were objected to under 37 CFR 1,83(a) for failure to show a battery gauge (claims 12 and 13) and a mass attached to the crank (claims 14 and 15).

Claims 12 and 13 have been canceled. Reconsideration of the objection as applied to claims 12 and 13 is respectfully requested.

With regard to the objection applied to claims 14 and 15, a replacement first paragraph of page 12 is included

that also now includes, added thereto, a recitation of attachment of the mass to the crank. This new recitation copies a portion of the fifth sentence of the brief description of the invention, beginning on the bottom of page 9 of the original specification. Therefore, no new matter has been added.

The mass 24, as shown in drawing Figure 1 (reference numeral 24), is attached to the crank (the crank being well known in the bicycling arts) and, as shown, it includes a solid plate. This teaching (showing) of a solid plate is opposite that of the long-standing teaching of the bicycling arts wherein the crank is not a solid plate, but rather has had as much material (i.e., mass) removed as possible in order to maximally lower its weight and therefore the overall weight of the bicycle.

Accordingly, it is believed that the mass attached to the crank is shown in the drawing figures and that claims 14 and 15 are now in condition of allowance. Reconsideration of the objection, as applied to claims 14 and 15, is respectfully requested.

3. Claim 3 was objected to because it depended on itself. Claim 3 has been amended to depend from instant claim 1. Reconsideration is respectfully requested.

4-5. The recitation of 35 U.S.C. 112 second paragraph and the rejection of claims 8, 17, 18, and 19 thereunder, is noted.

Claim 8 has been canceled, as the Examiner has defined the term "alternator" and has shown applicant that the more generic term "generator" can also include an alternator as "an alternating current [type of] generator". Therefore, cancellation of claim 8 is not believed to introduce any future limitation into the scope of the allowed claims.

However, applicant does take issue with the assertion by the Examiner that only one type of generator is disclosed. In the specification on page 14, it recites, "Also, the term generator 44 is intended to include any device capable of generating electricity, for example, any type of an alternator." Accordingly, the generator, as disclosed, can include an alternator, and it is believed that the recitation, "said generator includes an alternator" is not indefinite.

Reconsideration of the rejection, as applied to claim 8, is respectfully requested.

Claim 17 was rejected because of the use of possible alternative language, "stationary" and "portable".

Claim 17 has been amended to recite that when the stand is disposed in a first position the bicycle is for stationary use and when it is not disposed in the first position, the bicycle is not for stationary use. It is believed that no alternative language is presently included in amended claim 17 and that the claim is therefore, no longer indefinite.

Claim 18 was amended to maintain exact antecedent correlation with the language of claim 17, thereby ensuring that no indefiniteness is introduced by claim 18. Claim 19 was rejected only because it depended from a rejected claim and, of itself, did not correct the problem.

Reconsideration of the rejection, as applied to claims 17, 18, and 19, is respectfully requested.

6-9. The recitation of 35 U.S.C. 102 (b) and 103 (a) is noted along with the rejection of claims 1, 4-7, 9-11,

16, and 20 thereunder. Please see Office Action, item number 10, for a summary of the instant claims.

10. Claim 2 was objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

This is believed to have been accomplished. The limitations of claim 2 have been included in instant claim 1 and claim 2 has therefore been canceled.

Accordingly, claim 1 is believed to be in condition of allowance. As remaining dependent claims 3-7, 9-11, and 14-19 depend from claim 1 and include the limitations of the base claim, they are similarly believed to be in condition of allowance. Claim 20 has been canceled.

Reconsideration of remaining claims 1, 3-7, 9-11, and 14-19 is respectfully requested.

11. Portions of the prior art made of record and not relied upon that is considered pertinent to the applicant's disclosure has been reviewed by the undersigned, but is deemed no more relevant than the applied references.

12. Support for the amendments to base claim 1 are derived from original claim 2.

Support for the amendments to claim 3 are derived from claim 1 providing proper antecedent basis.

Support for the amendments to claims 17 and 18 is inherent to the disclosure and includes a removal of language from claim 17 (the use of the recitation, "portable".) and therefore, cannot introduce new matter. The amendments to claim 18 include a more exact correlation to the language of prior claim 17 and therefore rely on the original language of claim 17.

13. The applicant appreciates the opportunity to communicate by telephone with the Examiner if necessary. Please continue to direct all correspondence to the correspondence address and telephone as shown below.

14. The applicant notes the telephone number of the Technology Center 2800 for Customer Service.

As all remaining claims 1, 3-7, 9-11, and 14-19 appear to be in condition of allowance, reconsideration thereof is

respectfully requested, and a notice of allowance is  
courteously urged at the earliest time.

Respectfully submitted,

A handwritten signature in cursive script, followed by the date "7/5/05" written in a similar style.

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